

Date: August 29, 2013

To: Thomas J. Bonfield, City Manager
Through: W. Bowman Ferguson, Deputy City Manager
From: Marvin G. Williams, Director of Public Works
Subject: Agenda Item – Mini Assessment Roll for Sewer Main on East Cornwallis Road

Executive Summary

The City Council, at its meeting on November 5, 2012, held a public hearing regarding the assessment of a sewer main on East Cornwallis Road. The assessment roll and subsequent mini roll have been confirmed, with the exception of the property of U.D.I. Community Development Corp. Mr. Ed Stewart spoke on behalf of U.D.I. at the August 19th Council meeting objecting to the assessment, and the item was referred back to the administration to provide more information at the September 16th City Council meeting.

Recommendation

The Public Works department is requesting a one cycle additional delay to finish reviewing potential options and responses. The new requested City Council Meeting date would be October 7, 2013.

Background

After confirmation of the initial assessment roll on November 5, 2012, U.D.I. Community Development Corp. objected to the assessment against its property, described as 4601 Industry Lane, PIN 0729-02-97-7530. The assessment amount is \$13,990.00 and is for a sewer main that was installed in East Cornwallis Road under the City's Enabling Act Authority in response to a letter from the Durham County Health Department recommending that municipal sewer be extended to serve a property with a non-repairable septic system.

There were three primary reasons cited by U.D.I. for the objection to the assessment.

1. U.D.I. states that they had never received any notification of the proposed improvement when it was first ordered in 2010.
2. Mr. Stewart had understood that the "land swap" that was undertaken to remove one dedicated sewer easement on the U.D.I. property for another came with the understanding that there would be no cost to U.D.I.
3. Mr. Stewart argues that the property does not benefit from the new sewer, since it already had access to sewer along the perimeter of the subject property.

In addition to Mr. Stewart's objections, the question arose during Council discussion as to whether this property qualified for relief due to its size.

Issues and Analysis:

The Public Works department is requesting a one cycle additional delay to finish reviewing potential options and responses.

Alternatives:

The Public Works department is requesting a one cycle additional delay to finish reviewing potential options and responses.

Financial Impacts:

The Public Works department is requesting a one cycle additional delay to finish reviewing potential options and responses.

SBDE Summary:

The SDBE Summary is not applicable to this item.